REMARKS

In the office action, claims 14 and 15 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,421,335 B1 (Kilkki et al.). Applicants respectfully traverse this rejection based on the following. Both claims 14 and 15 recite "A Code Divisional Multiple Access (CDMA) Radio Network Controller (RNC) having/comprising a medium access controller-controlling shared (MAC-c/sh) entity". Kilkki does not disclose a MAC-c/sh entity at all. Kilkki does describe a radio network, but it does not describe a radio network controller. Accordingly, the claims are already distinguished from the teachings of Kilkki.

The claims recite "controlling a flow of data through a forward access common channel (FACH) by a plurality of sources by the flow control entity". Kilkki does not disclose the control of data flow through a forward access common channel (FACH). As is well known in the art, forward channels send data to users through forward links and, by contrast, reverse channels send data from the users to the network. Kilkki clearly discloses a system for controlling data transfer from users to the network (reverse link). As mentioned in the office action with reference to Figures 9 and 10, transmissions between the mobile stations and the trunking network are showed as being controlled in that figure. Accordingly, these transmissions are clearly in the reverse link, which is a different endeavor than the FACH. Additionally, Kilkki does not disclose controlling a flow of data from a

plurality of sources through the FACH. As described in the present specification, a variety of sources such as the CCCH, DCCH, DTCH, etc. are mapped onto the FACH. Kilkki discloses filtering ATM cells being sent to the trunking network. Accordingly, Kilkki discloses filtering cells but does not disclose controlling a flow of data from a plurality of sources. The claims recite "permitting each source a specified amount of data to buffer for transfer over the FACH". Kilkki does not disclose this. Kilkki discloses changing the filtering threshold in response to the occupancy of a network buffer. Accordingly, the buffer in the equation is not a source buffer but more of a destination buffer. Additionally, clearly each source is not permitted a specified amount of data to buffer in Kilkki. Finally, since Kilkki does not disclose each source having a specified amount of data to buffer, it clearly does not disclose "controlling the flow of data from each source by the flow control entity in response to the specified amount and associated priority of the data for that source".

Accordingly, Applicants respectfully submit that both claims 14 and 15 are allowable.
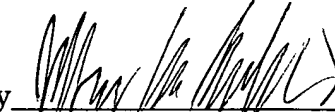
Reconsideration and entry of this amendment are respectfully requested.

Respectfully submitted,

Stephen E. Terry

By_____

Jeffrey M. Glabicki
Registration No. 42,584
(215) 568-6400

Volpe and Koenig, P.C.
United Plaza, Suite 1600
30 South 17th Street
Philadelphia, PA 19103

JMG/mak